



RESIDENTIAL LEASING
3700 A. Tachevah Drive, Suite 203
Palm Springs, California 92262
(760) 416-3289 FAX (760) 416-3628



**PLEASE READ ALL PAGES OF THESE INSTRUCTIONS
AND ANY ATTACHED SCHEDULES**

**ALL REQUIRED DOCUMENTATION MUST BE SUBMITTED TO THIS
OFFICE FOR REVIEW AND APPROVAL PRIOR TO RECORDING IN THE
OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.**

INSTRUCTIONS & INFORMATION THAT APPLIES TO EVERY TRANSACTION:

- 1. Same Day Service (Subject to Availability; Not Available for Foreclosures):**
 - \$500.00 in addition to all other applicable fees.
- 2. Standard Processing Time:**
 - Documents must be received in our office prior to 11:00 a.m.
 - Documents will be ready for pick up between 2:00 and 4:00 p.m. the following business day.
 - Documents requiring corrections or missing documentation **will** cause a delay in processing.
 - Messenger service persons must have the buyer's last name and PSL Number for reference.
- 3. Payment of Administrative and Landowner Fees:**
 - Checks for administrative fees are payable to Bureau of Indian Affairs (BIA).
 - If the BIA collects the annual/monthly lease payments, checks for the landowner transfer fees are to be made payable to the Bureau of Indian Affairs.
 - All fees must be paid at the time of service. We do not accept cash or credit cards. Personal checks, money orders, certified checks, etc., are acceptable. **All fees are non-refundable.**
- 4. Order of Documents Submitted:**
 - Your cover letter containing instructions and referencing the PSL (Lease) Number; Tract Number, Lot/Unit Number, and Check Number;
 - Check for required fees payable to Bureau of Indian Affairs (BIA);
 - Two (2) Original, Assignment, Acceptance and Agreement, and Consent documents;
 - Original Deed of Trust, including all riders and attachments;
 - Certified copy of the Deed of Trust, including all riders and attachments;
 - Certified copy of the Note, including all riders and attachments.
- 5. Only documents that have been typed will be accepted for review and approval. **Hand written documents are not acceptable.****

6. Submit Two (2) Originals of Documents to be Approved (Unless Otherwise Noted)

- If the document requires a notary acknowledgment, an original acknowledgment will be required for each document (Also see Notary Public Requirements).

7. “Approval as to Form” for Assignment, Acceptance and Agreement, and Consent:

- Only Assignment, Acceptance and Agreement, and Consent forms that have been “APPROVED AS TO FORM” by the Bureau of Indian Affairs will be accepted for processing transfers; other forms will not be accepted. Depending on the lease, approved forms can be obtained from the BIA, Lessor, or the management agent for the Lessor.

8. Certification of Documents (Where certification is required):

- Please certify every page of each document. Do not certify on top of printed matter. If the Notary used an embossed seal, darken the seal before making the certified copy. The information contained on the embossed seal must be legible on the certified copy. **Only Use Blue Ink For Certification Stamps.**
- Certifications are required for copies of the following documents:

Escrow Instructions	Death Certificates
Deeds of Trust	Affidavit of Death
Notes	Trust Documents (complete document)

9. Proof of Signing Authority If Other Than a Private Party Signs, for example:

- Corporations: Articles of Incorporation, corporate resolution
- Partnerships: Partnership Agreement
- Trustee or Successor Trustee:
 - Resigning Trustee - Submit a certified copy of documentation of resigning Trustee and a certified copy of documentation appointing Successor Trustee, and a complete certified copy of the Trust Agreement.
 - Deceased Trustee - Submit a certified copy of the decedent’s Death Certificate, a certified copy of the Affidavit of Death, and a complete certified copy of the Trust Agreement.

10. Notary Public Acknowledgments:

- All California Notaries are required to utilize the “California All Purpose Notary Acknowledgment” form. All proper pronouns must be indicated (he/his or she/her, etc.) within the acknowledgment.
- The Notary Public’s stamp or embossed seal is required to be legible, photographically reproducible, and should contain:
 - Notary Public’s name;
 - Expiration date of commission;
 - Commission number;
 - State and County.
- Documents submitted with an incomplete notary acknowledgment will be returned for corrections.
- Notary Acknowledgements from other states or Countries will be accepted, provided that they are completed in accordance with their governing regulations and otherwise acceptable to Residential Leasing.

11. Death of a Homeowner

- Submit a certified copy of the decedent’s Death Certificate and a certified copy of the appropriate Affidavit of Death.
- If the name on the death certificate differs from the vesting on title, submit a “one-in-the-same statement” signed by either an Escrow Officer or Attorney on company letterhead.

12. Legal Description:

- Ensure the correct legal description is included either within the document or referenced as an attached exhibit. If the legal description is attached as an “Exhibit,” place it behind the Assignment page. Do not attach a legal description to the Acceptance and Agreement, or the Consent pages.
- The legal description is to be preceded by one of the following introductory paragraphs (depending on whether or not the original Lessor or a subsequent Lessor is on title to the [sub]lease):

1. Introductory paragraph to be used when the original Lessor is on title:

*A Leasehold Estate created by that certain Lease executed by _____,
as Lessor, dated _____, and recorded on _____,
as Instrument No. _____, Official Records of Riverside County,
California, subject to the terms, conditions and provisions as contained therein.*

Generally, the date of the [sub]lease document, recording date, and instrument number, to be inserted is the date of the original [sub]lease document, or restatement thereof.

Follow the introductory paragraph shown above with the actual legal description from the [sub]lease.

2. Introductory paragraph to be used when a subsequent Lessor is on title:

*A Leasehold Estate created by that certain Lease executed by _____,
Lessor, as successor in interest to _____, Lessor, dated
_____, and recorded on _____, as Instrument No.
_____, Official Records of Riverside County, California, subject to the
terms, conditions and provisions as contained therein.*

Generally, the date of the [sub]lease document, recording date, and instrument number, to be inserted is the date of the original [sub]lease document, or restatement thereof.

Follow the introductory paragraph (as shown above) with the actual legal description from the [sub]lease.

TRANSFERS OF TITLE AND/OR ENCUMBRANCES TO THE LEASEHOLD:

TITLE TRANSFER ONLY:

- \$250.00 Administrative Fee per transaction;
- Consent fee, if required.
- Two (2) Original Assignment, Acceptance and Agreement, and Consent forms (if Consent is furnished by this office we will attach it for you).

FINANCING ONLY (Do Not Send The Original Note):

- \$250.00 Administrative Fee per transaction;
- One (1) original Deed of Trust, including all riders and attachments;
- One (1) certified copy of the Deed of Trust, including all riders and attachments;
- One (1) certified copy of the Note, including all riders and attachments;
 - All persons in title or acquiring title must execute the Note and Deed of Trust in the same manner in which title is held or is to be acquired.
- One (1) copy of the appraisal obtained in conjunction with financing;
- One (1) certified copy of Escrow Instructions that includes the following statement:
 - *A transfer of title or encumbrance on the leasehold must be approved by the Bureau of Indian Affairs and the release of title documents to the Buyer by the Escrow Holder is conditioned upon payment of unpaid principal, and/or unpaid interest, and/or prorated payments due on the leasehold. Escrow Holder is authorized and instructed to obtain a statement from the Bureau of Indian Affairs, Lessor, or their agent (whichever applies) confirming outstanding balances and payment status.*
- One (1) original of Lessor's Consent to Encumbrance (if applicable)
- One (1) certified copy of the Lessor's Consent to Encumbrance (if applicable)
 - In addition to the approval required by the Bureau of Indian Affairs, the lease may also require the Lessor's approval for the encumbrance. If so, you are required to contact the Lessor for further information. The Lessor's information may be obtained by contacting the Lessee/Borrower of subject property. Failure to secure any required consents and the BIA's approval will impair the lenders' rights in the event of a borrower default.

TITLE TRANSFER WITH FINANCING (Do Not Send The Original Note):

- \$500.00 Administrative Fee (\$250.00 for Deed of Trust and \$250.00 for Title Transfer)
- Consent fee, if required.
- Two (2) original Assignment, Acceptance and Agreement, and Consent forms (if Consent is furnished by this office we will attach it for you).
- One (1) original Deed of Trust, including all riders and attachments;
- One (1) certified copy of the Deed of Trust, including all riders and attachments;
- One (1) certified copy of the Note, including all riders and attachments;
 - All persons in title or acquiring title must execute the Note and Deed of Trust in the same manner in which title is held or is to be acquired.
- One (1) copy of the appraisal obtained in conjunction with financing;
- One (1) certified copy of Escrow Instructions that includes the following statement:
 - *A transfer of title or encumbrance on the leasehold must be approved by the Bureau of Indian Affairs and the release of title documents to the Buyer by the Escrow Holder is conditioned upon payment of unpaid principal, and/or unpaid interest, and/or prorated payments due on the leasehold. Escrow Holder is authorized and instructed to obtain a statement from the Bureau of Indian Affairs, Lessor, or their agent (whichever applies) confirming outstanding balances and payment status.*
- One (1) original of Lessor's Consent to Encumbrance (if applicable)
- One (1) certified copy of the Lessor's Consent to Encumbrance (if applicable)
 - In addition to the approval required by the Bureau of Indian Affairs, the lease may also require the Lessor's approval for the encumbrance. If so, you are required to contact the Lessor for further information. The Lessor's information may be obtained by contacting the Lessee/Borrower of subject property. Failure to secure any required consents and the BIA's approval will impair the lenders' rights in the event of a borrower default.

FORECLOSURES (SAME DAY SERVICE is NOT OFFERED on Foreclosure Transactions):

- \$500.00 Base Administrative Fee, PLUS
- \$250.00 for Trustee's Deed, PLUS
- \$250.00 for Assignment of Deed of Trust (\$250 for each assignment), PLUS
- Any other applicable fees for services rendered.

NOTICE: The following instructions apply to Deeds of Trust approved by the Bureau of Indian Affairs. If the foreclosed upon Deed of Trust was not approved by the BIA, the lender interests are impaired and additional action is required to secure the interest. Contact Residential Leasing for further information.

To place title in the name of the Beneficiary of the Deed of Trust, or the Assignee thereof:

- 1. If the Trustee shown on the Trustee's Deed differs from the Trustee shown on the original Deed of Trust, we require certified copies of all Substitutions of Trustee.**
 - The chain of title for the Trustee must flow from the Trustee named on the original Deed of Trust to the Trustee named on the Trustee's Deed;
- 2. If the Beneficiary shown on the original Deed of Trust differs from the Beneficiary shown on the Trustee's Deed, we require certified copies of all Assignments of Deed of Trust.**
 - The chain of title for the Beneficiary must flow from the Beneficiary named on the original Deed of Trust to the Beneficiary named on the Trustee's Deed.
- 3. Submit completed Assignment, Acceptance and Agreement, and Consent forms to Residential Leasing with applicable assignment fees.**

Under the terms of the Lease document, you are required to contact the Lessor, or the Lessor's agent for their requirements and instructions.

ADDITIONAL INSTRUCTIONS AND INFORMATION:

- We do not process documents by property address or assessor's parcel number, only the legal description and PSL number.
- **We do not accept documents that have been faxed or faxed and copied to look like an original. If it is faxed or looks faxed, do not submit it.**

The foregoing has been provided to assist you with your transaction involving leased land located within the boundaries of the Agua Caliente Indian Reservation. Keep in mind, however, that additional information may be required for your particular transaction. If you have additional questions, please contact our office at (760) 416-3289.